

# **EXHIBIT 9**

## **PUBLIC REDACTED VERSION**

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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

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MATCH GROUP, LLC, a Delaware  
corporation; HUMOR RAINBOW, INC.,  
a New York Corporation; PLENTYOFFISH  
MEDIA ULC, a Canadian corporation; and  
PEOPLE MEDIA, INC., a Delaware corporation,  
Plaintiffs,

vs. Case No. 3:22-cv-02746-JD  
GOOGLE LLC; GOOGLE IRELAND LIMITED;  
GOOGLE COMMERCE LIMITED; GOOGLE  
ASIA PACIFIC PTE, LIMITED; and  
GOOGLE PAYMENT CORP.,

Defendants.

-----x

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REMOTE VIDEOTAPED DEPOSITION BY VIRTUAL ZOOM OF  
BRANDON BARRAS

Tuesday, September 13, 2022

Reported By: Lynne Ledanois, CSR 6811

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-----x

Videotaped deposition of BRANDON BARRAS,  
taken in Los Angeles, California, commencing at  
9:01 a.m., on Tuesday, September 13, 2022 before  
Lynne Ledanois, Certified Shorthand Reporter No.  
6811

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REMOTE APPEARANCES

Counsel for Plaintiff Epic Games, Inc. in:  
Epic Games, Inc. v Google LLC, et al:

CRAVATH, SWAINE & MOORE LLP

BY: COLLEEN KOZIKOWSKI

Attorney at Law

825 Eighth Avenue

New York, New York 10019

ckozikowski@cravath.com

Counsel for Google LLC, et al:

MORGAN LEWIS & BOCKIUS LLP

BY: MINNA LO NARANJO

WOGAI MOHAMAND

Attorneys at Law

1 Market Plaza

One Market Street

San Francisco, California 94105

minna.naranjo@morganlewis.com

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REMOTE APPEARANCES

Counsel for Plaintiffs Match Group, LLC; Humor  
Rainbow, Inc.; PlentyofFish Media ULC; and People  
Media:

HUESTON HENNIGAN

BY: DOUGLAS J. DIXON

WILL LARSEN

Attorneys at Law

523 West 6th Street

Suite 400

Los Angeles, California 90014

ddixon@hueston.com

Counsel for Plaintiff States:

OFFICE OF THE ATTORNEY GENERAL

STATE OF UTAH

BY: MICHAEL ALTEBRANDO

Attorney at Law

111 S. Main Street

Suite 1800

Salt Lake City, Utah 84111

maltebrando@agutah.gov

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REMOTE APPEARANCES

Counsel for the Interim Steering Committee Members  
for Plaintiffs and the Proposed Class in re:  
Google Play Consumer Antitrust Litigation:

KOREIN TILLERY LLC

BY: DAVID WALCHAK

Attorney at Law

205 North Michigan

Suite 1950

Chicago, Illinois 60601

dwalchak@koreintillery.com

ALSO PRESENT:

Jeanette Teckman, In-House Counsel Match Group

Stephen Myers, In-House Counsel Match Group

Jeffree Anderson, Videographer

Jake Franks, Veritext Concierge

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I N D E X O F E X A M I N A T I O N

Examination by:

Page

Mr. Dixon

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Tuesday, September 13, 2022

9:01 a.m.

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THE VIDEOGRAPHER: Good morning. We're going on the record at 9:01 a.m. on September 13th, 2022. Audio and video recording will continue to take place unless all parties agree to go off the record.

This is Media Unit 1 of the video-recorded deposition of Brandon Barras taken by counsel for the plaintiff In Re Google Play Store Antitrust Litigation filed in the United States District Court for the Northern District of California, San Francisco Division. Case number is 3:21-md-02981-JD.

This deposition is being conducted remotely using virtual technology. My name is Jeffrey Anderson representing Veritext and I'm the videographer. The court reporter is Lynne Ledanois from the firm Veritext.

All appearances are noted on the record and the witness can be sworn in.

BRANDON BARRAS,  
having been duly sworn, testified as follows:

EXAMINATION



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1 Q So Google was concerned that developers  
2 like [REDACTED]  
3 [REDACTED] might inform the public about Google's  
4 requirements and thereby cause problems?

5 A Our feeling was we would much prefer to work  
6 closely with these developers to understand where  
7 those gaps or needs were versus just blatantly  
8 enforcing the policy and removing it from the store  
9 and letting them then go to the public and not  
10 necessarily be happy, which is what you often see with  
11 other platforms such as Apple when apps are removed  
12 that are not compliant.

13 Q Was Google afraid of a public debate over  
14 this issue?

15 A I cannot speak for Google in that sense. I  
16 can say that, as I mentioned before, the preferred  
17 path was to partner and lean in versus a hard hand of  
18 enforcement and possible agitation.

19 Q Google wanted to keep this issue out of  
20 the public discourse; correct?

21 MS. NARANJO: Object to form.

22 THE WITNESS: I think, again, as I  
23 mentioned before, our preference -- I can't speak  
24 for Google -- for Play was to partner with these  
25 partners versus blanket enforcement.

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1 Q He asks for the extension but he also  
2 tells you, [REDACTED]

3 [REDACTED]

4 [REDACTED] Correct?

5 A That's what it says, yes.

6 Q He was very clear in terms of whether

7 [REDACTED]

8 [REDACTED]

9 MS. NARANJO: Object to form.

10 THE WITNESS: [REDACTED]

11 [REDACTED]

12 [REDACTED] [REDACTED]

13 [REDACTED]

14 [REDACTED]

15 BY MR. DIXON:

16 Q Respectfully, sir, that's not my question.

17 I asked you whether Mr. Foster pointed out  
18 to you in this email that [REDACTED]

19 [REDACTED]

20 [REDACTED]

21 A That is what this email says, yes.

22 Q You did not ask him what he meant by that,  
23 did you?

24 A No, because they had the form to fill out  
25 where they had to also include an explanation of why

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1 Is that one of the questions?

2 A Yes.

3 Q And the answer here is "Yes"; correct?

4 A Yes.

5 Q Then the last question is "Please explain  
6 why you need additional time to comply with Google  
7 Play's Payments policy." Right?

8 A Correct.

9 Q To your knowledge and consistent with what  
10 Peter said in his email to you, [REDACTED]

[REDACTED]

[REDACTED]; right?

13 A I actually never saw this form or the  
14 response, so I was unaware that's what that included.

15 Q So you never even looked into whether  
16 Peter provided a different reason than the one given  
17 in his email?

18 A The form was meant as an extension, as you  
19 see by the questions, for apps who need more time to  
20 integrate, not for a justification of why they weren't  
21 utilizing that system.

22 [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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[REDACTED]

2 We were made aware that they had submitted  
3 the form for the extension and that's what I was  
4 operating based off of.

5 Q So the only information you knew with  
6 respect to why Match was applying for the extension  
7 was what Peter told you in Exhibit 1603; right?

8 A I don't know if that was necessarily the  
9 reason, but yes, he denoted that [REDACTED]

[REDACTED]

[REDACTED]

12 Q Just to round this out, in Exhibit 1604  
13 the reason given for this particular app, Ablo, was

14 [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

20 Do you see that, sir?

21 A I do.

22 Q And do you have any reason to question the  
23 sincerity of that explanation?

24 A I don't have enough context of all those of  
25 businesses to know what their specific feedback was

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1 I, LYNNE M. LEDANOIS, a Certified  
2 Shorthand Reporter of the State of California, do  
3 hereby certify:

4 That the foregoing proceedings were taken  
5 before me at the time and place herein set forth;  
6 that a record of the proceedings was made by me  
7 using machine shorthand which was thereafter  
8 transcribed under my direction; that the foregoing  
9 transcript is a true record of the testimony given.

10 Further, that if the foregoing pertains to  
11 the original transcript of a deposition in a Federal  
12 Case, before completion of the proceedings, review  
13 of the transcript [ ] was [x] wasn't requested.

14 I further certify I am neither financially  
15 interested in the action nor a relative or employee  
16 of any attorney or party to this action.

17 IN WITNESS WHEREOF, I have this date  
18 subscribed my name.

19 Dated: September 14, 2022  
20  
21  
22  
23

Lynne Marie Ledanois

24 \_\_\_\_\_  
LYNNE MARIE LEDANOIS

25 CSR No. 6811

## Errata Sheet - Deposition of Brandon Barras

**Case:** *In re Google Play Store Antitrust Litigation*, Case No. 3:21-md-02981-JD  
*In re Google Play Consumer Antitrust Litigation*, Case No. 3:20-cv-05761-JD  
*In re Google Play Developer Litigation*, Case No. 3:20-cv-05792-JD  
*Epic Games Inc. v. Google LLC*, Case No. 3:20-cv-05671-JD  
*State of Utah v. Google LLC*, Case No. 3:21-cv-05227-JD

**Date of Deposition:** September 13, 2022

<b><u>Page #</u></b>	<b><u>Line #</u></b>	<b><u>Currently Reads</u></b>	<b><u>Correction</u></b>	<b><u>Reason for Correction</u></b>
22	5	that correct would	that would	Transcription error
24	4	more akin	more working	Transcription error
28	23	I – the rest	the rest	Clarification
34	25	traveling local	travel and local	Transcription error
35	18	Kojima	Evan Kojima	Clarification
25	20	David Ponce	David Pons	Clarification
35	22	Soler^	Soler	Transcription error
37	07	up to	to	Transcription error
38	01	products	product	Transcription error
39	23	brainless	very nice	Transcription error
49	23	spam issuing	spam feeling	Transcription error
51	24	wait	await	Clarification
57	01	One would	When we would	Transcription error
70	18	may exchange update	mix, change, update	Transcription error
90	13	issues for gaps	issues or gaps	Transcription error
95	07	full contacts	full context	Transcription error
113	10	references to	is in reference to	Transcription error
118	8	leverage or	leverage our	Transcription error
122	20	written they	written that they	Transcription error

128	17	opted into	opted-in to	Clarification
140	22	SVP of global business operations	President Global Partnerships and Corporate Development	Clarification
141	24	derive	drive	Transcription error
143	13	Sorry, extent - can you rephrase a little	Sorry - extent - you froze a little	Transcription error
182	05	given it	give them a day and	Transcription Error/Clarification
203	03	from the meeting	the meeting	Transcription error
207	23	was was	was	Transcription error
222	12	did continue	did include	Transcription error
256	22	Technically it was spilled milk	Technically it was still available	Transcription error
289	07	levels	levers	Transcription error
295	14	nature	natural	Transcription error
295	16	earlies	earlier	Transcription error

I, the undersigned, declare under penalty of perjury, that I have read the above-referenced deposition transcript and have made corrections, additions, or deletions that I desired to make; and that the transcript contains my true and correct testimony.

EXECUTED this 19th day of October, 2022 at Santa Monica, California.

DocuSigned by:

*Brandon Barras*

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Brandon Barras